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RUCNRAQ/IRAQ COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 003117

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SUBJECT: ELECTION LAW UPDATE: NOVEMBER 30

REF: A. BAGHDAD 3104

IB. BAGHDAD 3097

Classified By: CDA Robert Ford for Reasons 1.4 (b, d)

¶1. (C) SUMMARY: After a two-day "technical review" of a compromise election law proposal backed by both Shia and Sunni political leaders (ref A), the Kurds are hesitating and may reject the proposal. Kurdish Region President's Chief of Staff Fuad Husayn told CDA late November 30 that the Kurds were puzzled that the seat allocation in the proposal allowed for a larger percentage increase in parliamentary seats in some governorates (like Nineva) than in others (Kurdish home governorates Sulaymaniyah and Erbil). He also expressed pique that the Kurds had not been included in the discussions from the beginning. Husayn and other Kurdish contacts have told us that they will prepare a technical assessment of the proposal and give it to the Kurdish Region parliament in the coming days. Contacts and reports traced to Kurdistan Regional Government (KRG) Prime Minister Barham Salih indicate that the Kurds may seek the allocation of an additional four or five national parliamentary seats to KRG governorates. To evade personal responsibility, KRG President Barzani could hide behind the KRG Parliament putting forward such a demand. On one level this is likely about a few seats in the future Iraqi national parliament. On another level, this is about Nineva in particular and the size of the anti-Kurdish parliamentarian delegation likely to come out the eventual national elections. END SUMMARY.

¶2. (C) Deputy PM Rafi al-Issawi, who helped broker the latest election law deal along with Shia MP Hadi al-Ameri (Badr Organization), shared with PolCouns on November 30 that Salih had told him the previous evening that the Kurds might seek three seats for Kurdish governorates in the Council of Representatives (COR) on top of those already allocated to the KRG in the compromise proposal. (Note: The Kurds gain two additional seats in the pending deal over what they would have received under the November 8 election law amendment that was subsequently vetoed by Vice President Hashimi. End Note.) Issawi had replied that he would attempt to confer with Ameri to see what could be done, but was subsequently unable to reach Ameri (currently in Beirut). Meanwhile, notwithstanding the lack of a formal Kurdish position, Issawi said he asked UNAMI to start devising an alternative plan that could allow one or two more seats for the Kurds. Issawi plans to consult with ISCI leader Ammar al-Hakim tonight at 9:00 pm.

¶3. (C) Similarly, Vice President Abdel al-Mehdi reported to Charge midday on November 30 than Salih had suggested to him that the Kurds might require a few more seats in order to sign off on the proposal. Charge told Abdel Mehdi that we thought reopening the seat allocation would cause the whole deal to unravel. Abdel Mehdi agreed, noting that there was much in the agreement that is good for the Kurds. Abdel Mehdi was more cautious in response to Charge's urging that he weigh in with Barzani directly; the Iraqi Vice President said he needed first to understand "the Kurdish position more fully."

¶4. (C) Masrur Barzani (son of KRG President Barzani) told Charge November 30 evening that prior to reaching a final position, a technical report would have to be submitted to the Kurdish Parliament, led by hard-liner Speaker Kemal Kirkuki, for coordination with the Kurdish Alliance in the COR, headed by Fuad Masum. Charge told Masrur Barzani that the Kurds should accept the proposal expeditiously, as it was a fair deal for all sides. Barzani noted that some sides had a fair deal for all sides. Barzani noted that some sides had gained at others' expense and the Kurds had to decide whether they could accept this.

¶5. (C) Late November 30 Masoud Barzani's chief of staff, Fuad Husayn, told Charge that the Kurds were not pleased that some governorates under the proposal had a larger percentage increase in parliamentary seats (like Ninewa) than others (like Erbil and Sulaymaniyah in the Kurdish Region). The Kurds would not automatically accept this, he warned. In addition, Husayn said the Kurds were annoyed that they had not received the proposal in any official manner; instead they had a paper brought back to Erbil by Kurdish negotiator Fuad Masum that was not recognized as authoritative yet. Husayn also expressed pique that Masum had not been brought into the initial stage of discussions involving Deputy PM al-Issawi and Hadi al-Ameri. Charge underlined American concern that the agreement not be rejected. Husayn shot back that his problem was to get top Kurdish leadership to accept a proposal that appeared odd, much less trying to explain it to the "Kurdish people."

¶6. (C) COMMENT: The migrating of responsibility for the election law from KRG President Barzani to the Kurdish

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Parliament would be an unwelcome development as it may complicate and prolong negotiations. The Kurds in Erbil and President Talabani understand that the U.S. has now returned its focus on them. We will keep prodding here about the need for Barzani to exert his leadership to bring this compromise deal to a prompt and fruitful conclusion. Getting them to accept the proposal as it is likely will require that they recognize they will hurt their own political influence in the future parliament with Sunni and Shia Arabs more than an extra few Kurdish seats would help them. We will also keep working to vector in Iraqis who may be influential with Barzani, such as Abdel Mehdi and Issawi, who could be their allies in the next government. So far, Abdel Mehdi and Issawi, and Ameri, aren't doing a very good job with the Kurds. END COMMENT.

FORD